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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

**FILE:** B-218595 **DATE:** June 26, 1985

**MATTER OF:** LISP Machine, Inc.

**DIGEST:**

Sole-source award of delivery order for a computer system is justified where the contracting agency reasonably believed at the time of award that the awardee was the only source of a system that could run certain software needed by the agency.

LISP Machine, Inc. (LMI) protests the rejection of its quotation under request for quotations (RFQ) No. RK111-0481 issued by the National Aeronautics and Space Administration, Langley Research Center (Center) to purchase a computer system capable of running MACSYMA software. MACSYMA, according to the Center, is essential for certain research projects being conducted by the Center concerning artificial intelligence. The RFQ initially was issued only to Symbolics, Inc., for a Symbolics 3670 computer system, which the Center believed to be the only machine capable of executing MACSYMA. LMI, however, responded to a synopsis of the Center's intended purchase (published in the Commerce Business Daily on January 23, 1985), and ultimately submitted a quotation for its own LAMBDA system. Although LMI's system was less costly than Symbolics', the Center determined that a version of MACSYMA for LMI's system was not available from any source, and therefore issued a purchase order to Symbolics on April 26. LMI contends that a workable version of MACSYMA was available through the Department of Energy's (DOE) National Energy Software Center, Argonne National Laboratory, Illinois.

We deny the protest.

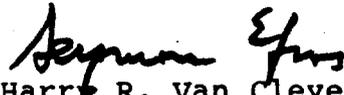
In March, LMI advised a technical representative of the Center that a version of MACSYMA capable of being run on LMI's computer system had been developed by a DOE contractor, and would be donated for public use to the National Energy Software Center. It is not clear to what extent the DOE MACSYMA actually had been developed at that time; the Center's technical representative, however, reports having spoken with representatives of LMI and the DOE contractor on March 14, and being told that some work still had to be

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done. At any rate, it is undisputed that the DOE MACSYMA was not actually available through the National Energy Software Center until more than 1 month after the award to Symbolics.

Since at the time of evaluation and award there was no evidence indicating that a workable version of MACSYMA was available for LMI's system, we believe the Center's decision to issue a purchase order to the only known supplier of computer systems having MACSYMA capability is not legally objectionable. A sole-source award is justified where the contracting agency reasonably believes at the time of award that there exists only one possible source of supply. Eagle Research Group, Inc., B-213725, May 8, 1984, 84-1 C.P.D. ¶ 514.

The protest is denied.

*for*   
Harry R. Van Cleve  
General Counsel